

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

BJORN MYKLATUN, an individual
residing in Oslo, Norway, and
OIL INNOVATION, AS, a Norwegian
Company,

Plaintiffs,

-vs-

HALLIBURTON ENERGY
SERVICES, INC., a Foreign
Corporation, FLOTEK INDUSTRIES,
INC., a Delaware Corporation,
CHEMICAL AND EQUIPMENT
SPECIALTIES, INC., an Oklahoma
Corporation, JERRY D. DUMAS, SR.,
an individual residing in Houston,
Texas, and JOHN TODD SANNER,
an individual residing in Duncan,
Oklahoma,

Defendants.

Case No. CIV-09-770-F

SUPERSEDING JUDGMENT

This action came on for trial before the court and a jury, Stephen P. Friot, District Judge, presiding, on plaintiffs' fraud claim against defendants, Flotek Industries, Inc., Chemical and Equipment Specialties, Inc., Jerry D. Dumas, Sr., and John Todd Sanner, premised upon defendants' "devising and developing the microemulsion product GasPerm-1000, in a blatant attempt to circumvent Plaintiffs' contract with CESI," *see*, Complaint, ¶ 21, and on plaintiffs' civil conspiracy claim against the same defendants, and the court having previously granted partial summary judgment in favor of the same defendants on plaintiffs' tortious interference with

contract claim and on plaintiffs' fraud claim premised upon the same defendants "willfully and knowingly allowing the Plaintiffs to incur significant time and expense during the completion of their contract, when these Defendants eventually determined that CESI would not comply with the contract under false premises in order that Flotek and CESI could cater to their major client, Halliburton, with whom they had just entered into a Master Purchase Agreement," *see*, Complaint, ¶ 21, and the plaintiffs having previously dismissed with prejudice their action against defendant, Halliburton Energy Services, Inc., and the issues having been duly tried as to plaintiffs' fraud claim premised upon defendants' "devising and developing the microemulsion product GasPerm-1000, in a blatant attempt to circumvent Plaintiffs' contract with CESI," *see*, Complaint, ¶ 21, and as to plaintiffs' civil conspiracy claim, and the jury having duly rendered its verdict in favor of defendants, Jerry D. Dumas, Sr. and John Todd Sanner, on the fraud claim premised upon defendants' "devising and developing the microemulsion product GasPerm-1000, in a blatant attempt to circumvent Plaintiffs' contract with CESI," *see*, Complaint, ¶ 21, and in favor of defendants, Flotek Industries, Inc., Chemical and Equipment Specialties, Inc., Jerry D. Dumas, Sr., and John Todd Sanner, on the plaintiffs' civil conspiracy claim, and the court, having granted the renewed motion for judgment as a matter of law under Rule 50(b), Fed. R. Civ. P. filed by defendants, Flotek Industries, Inc. and Chemical and Equipment Specialties, Inc., with respect to the fraud claim premised upon defendants' "devising and developing the microemulsion product GasPerm-1000, in a blatant attempt to circumvent Plaintiffs' contract with CESI," *see*, Complaint, ¶ 21,

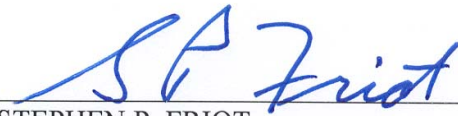
IT IS ACCORDINGLY ORDERED AND ADJUDGED that judgment is entered against the plaintiffs and in favor of the defendants Flotek Industries, Inc., Chemical and Equipment Specialties, Inc., Jerry D. Dumas, Sr., and John Todd Sanner on all of plaintiffs' claims, as follows:

IT IS ORDERED AND ADJUDGED that judgment is entered in favor of defendants, Flotek Industries, Inc., Chemical and Equipment Specialties, Inc., Jerry D. Dumas, Sr., and John Todd Sanner, and against plaintiffs, Bjorn Myklatun and Oil Innovation, AS, on plaintiffs' fraud claim premised upon defendants' "devising and developing the microemulsion product GasPerm-1000, in a blatant attempt to circumvent Plaintiffs' contract with CESI." *See*, Complaint, ¶ 21.

IT IS ORDERED AND ADJUDGED that judgment is entered in favor of defendants, Flotek Industries, Inc., Chemical and Equipment Specialties, Inc., Jerry D. Dumas, Sr., and John Todd Sanner, and against plaintiffs, Bjorn Myklatun and Oil Innovation, AS, on plaintiffs' civil conspiracy claim.

IT IS ORDERED AND ADJUDGED that judgment is entered in favor of defendants, Flotek Industries, Inc., Chemical and Equipment Specialties, Inc., Jerry D. Dumas, Sr., and John Todd Sanner, and against plaintiffs, Bjorn Myklatun and Oil Innovation, AS, on plaintiffs' tortious interference with contract claim and plaintiffs' fraud claim premised upon defendants "willfully and knowingly allowing the Plaintiffs to incur significant time and expense during the completion of their contract, when these Defendants eventually determined that CESI would not comply with the contract under false premises in order that Flotek and CESI could cater to their major client, Halliburton, with whom they had just entered into a Master Purchase Agreement." *See*, Complaint, ¶ 21.

DATED at Oklahoma City, Oklahoma, this 20th day of January, 2012.


STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE